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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
06-126-126	04/23/36	LORRAINE	J

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EXAMINER	
W. B. Shultz	
ART UNIT	PAPER NUMBER
122	21
DATE MAILED: 1/10/00	

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THE ACTION**

1.  Notice of References Cited by Examiner, PTO-892. 2.  Notice re Patent Drawing, PTO-048.  
3.  Notice of Art Cited by Applicant, PTO-1449. 4.  Notice of Informal Patent Application, Form PTO-152  
5.  Information on How to Effect Drawing Changes, PTO-1474 6.

## Part II SUMMARY OF ACTION

1.  Claims 108-136 are pending in the application.

Of the above, claims \_\_\_\_\_ are subject to the following claim(s): \_\_\_\_\_

2.  Claims

3  Claims have been filed.

are allowed.

are rejected.

are objected to.

7.  This application has been filed with informal drawings which are subject to restriction or election requirement.

matter is indicated.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_ . These drawings are  acceptable.

10.  The  proposed drawing correction and/or the  proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner.  Disapproved by the examiner (see explanation). \_\_\_\_\_

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved.  disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections **MUST** be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES". PTO-1474

12.  Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [ ] been received  not been received

[ ] been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_  
13. [ ] Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in  
accordance with the provisions of Rule 75(a) of the Patent Rules.

S. S. JAIN

Serial No. 726178

-2-

Art Unit 123

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103.

The status of each of the applications should be supplied.

Applicants should submit a clean duplicate copy of claims 108-136.

Claims 108-136 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the prior invention as set forth in claims 1-29 of U.S. patent no. 4,486,420. Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant subject matter as herein claimed is not patentably distinct from the subject matter of the claims in the above noted patent.

Brown:bjk

A/C 703

557-3920

9/30/85

*Johnnie R. Brown*  
JOHNNIE R. BROWN  
PRIMARY EXAMINER  
ART UNIT 123